

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

THE HOTEL EMPLOYEES AND RESTAURANT	)	
EMPLOYEES INTERNATIONAL UNION WELFARE	)	
FUND, <i>et al.</i> ,	)	
	)	CIVIL ACTION
Plaintiffs,	)	
	)	NO. 10 C 7850
vs.	)	
	)	JUDGE VIRGINIA M. KENDALL
KOENIG RESTAURANT CORP., a New York	)	
corporation, d/b/a KOENIG'S RESTAURANT,	)	
	)	
Defendant.	)	

**MOTION FOR ENTRY OF DEFAULT AND JUDGMENT**

NOW COME Plaintiffs, by their attorneys, and move for entry of judgment by default against Defendant, KOENIG RESTAURANT CORP., a New York corporation, d/b/a KOENIG'S RESTAURANT, in the total amount of \$24,575.08, plus Plaintiffs' court costs and reasonable attorneys' fees in the amount of \$1,535.00.

On December 18, 2010, the Summons and Complaint was served on the President, William Fitzgerald (by tendering a copy of said documents to John Smith, Managing Agent) at his place of business (a copy of the Summons and Affidavit of Service is attached hereto). Therefore, Defendant's answer was due on January 10, 2011. As Defendant has failed to timely answer the Complaint, Plaintiffs respectfully request entry of default and judgment.

/s/ Laura M. Finnegan

### **CERTIFICATE OF SERVICE**

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Default and Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 9th day of February 2011:

Mr. William Fitzgerald, President  
Koenig Restaurant Corp.  
86 S. Tyson Avenue  
Floral Park, NY 11001-1805

/s/ Laura M. Finnegan

Laura M. Finnegan  
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